

Misbranding of the article was alleged in substance in the libel for the reason that the labels of the bottles and cases containing the said article bore certain statements regarding the curative and therapeutic effects thereof, to wit, (bottles) "Bethesda A Natural Spring Water An Effective Diuretic, Beneficial In The Treatment of Diabetes, Bright's Disease, Calculi, Inflammation of Bladder And Other Urinary Disorders. * * * Contents: One-Half Gallon," (case) "Bethesda, the Water of Quality, Waukesha, Wis.," which statements were false and fraudulent, since the said article contained no ingredients or combination of ingredients capable of producing the effects claimed.

On September 8, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10064. Misbranding of Wendell's Ambition pills. U. S. * * * v. 3 Dozen Packages of * * * Wendell's Ambition Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13680. I. S. No. 10311-t. S. No. W-766.)

On September 17, 1920, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen packages of Wendell's Ambition pills, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by the Wendell Pharmacal Co., Syracuse, N. Y., on or about May 12, 1920, and transported from the State of New York into the State of Oregon, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box) "Gives Strength * * * Ambition Pills * * * Great Nerve Tonic. * * * For Nervousness, Nervous Debility, Weakness, Poor Blood, Kidney and Liver Complaints, Malaria, Rheumatism, Neuralgia, Exhausted Nervous Vitality, Nervous Prostration, Sleeplessness, Despondency, Mental Depression, Hysteria, Numbness, Trembling, Nervous Headaches, Dyspepsia, Indigestion, * * * affections of the Nervous System"; (carton) " * * * Pills Ambition Brand Beneficial in the treatment of Nervousness, Nervous Debility, Sleeplessness, Despondency, Mental Depression, Hysteria, Nervous Headaches, Dyspepsia, Indigestion, * * * Affections of the Nervous System. * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of plant tissues and extracts including nux vomica and cinchona, phosphorus, aloin, and spices, coated with a mixture of sugar and calcium carbonate and colored with a red dye.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements appearing upon the boxes and cartons containing the said article, regarding its curative and therapeutic effects, were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the curative and remedial effects claimed.

On November 23, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10065. Misbranding of Hall's catarrh medicine. U. S. * * * v. 8½ Dozen Bottles, 18 Dozen Bottles, et al., of * * * Hall's Catarrh Medicine. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 14014 to 14020, incl., 14075. Inv. Nos. 24965 to 24967, incl., 26328, 27614, 27615, 27862, 27863. S. Nos. E-2937, E-2923 to E-2928, incl.)

On December 11 and 14, 1920, respectively, the United States attorney for the Southern District of New York, and on December 13, 1920, the United States attorney for the District of Maryland, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said districts libels for the seizure and condemnation of 107½ dozen bottles of Hall's catarrh medicine, remaining in the original unbroken packages at New York, N. Y., and Baltimore, Md., respectively, alleging that the article had been shipped by F. J. Cheney & Co. and the Cheney Medicine Co., respectively, Toledo, Ohio, between the dates July 21 and October 23, 1920, and transported from the State of Ohio into the States of New York and Maryland, respectively, and charging misbrand-